

## Select Board Minutes 10/06/21

Sel. Jurmain called the meeting to order at 10:05am,. The following persons were present via Zoom: Sel. Pete Jurmain, Sel. Erin Underhill, Sel. Craig Schultze, Town Administrator-Michael Guzinski, Town Counsel Jay Talerman and Finance Director Carol Johnston

### Vote to Open Fall Town Meeting Warrant

The Board held off on opening the warrant.

### Discuss Amending/Adding/Removing Articles for the FATM Warrant

Mr. Guzinski said this meeting is to specifically discuss Article 9, Town Charter Changes (see attached), following the comments from the Finance Committee at their last meeting. The Fin Com sent the Board a memo stating that the section regarding the Town Administrator's duties was too lengthy and detailed and had concerns that it could lock the Board into something that wouldn't be able to be easily changed moving forward. It was noted that Fin Com supported Article 9 as written with the exception of the Town Administrator duties section and the name change of Finance Committee to Warrant Committee. Jay Talerman opined on what should generally be considered a bylaw and what should be a charter amendment. Mr. Talerman said a bylaw is enforceable under law but has less authority than a state statute which is what a charter is. Mr. Talerman reviewed the details of subsection 1 Powers and Duties included in the article, from (a) through (r) The Board discussed their concerns about what authority the Town Administrator should have and whether or not each should be included in a charter change or bylaw. Mr. Talerman recommended updating subsection 1 as follows:

- a) Keep in charter
- b) Modify but keep in charter
- c) Keep in charter subject to labor counsel's review
- d) Remove, not needed
- e) Remove, but consider bylaw
- f) Keep in charter
- g) Keep in charter
- h) Keep in charter
- i) Keep in charter subject to labor counsel's review
- j) Remove, but consider bylaw
- k) Remove
- l) Remove, but consider bylaw
- m) Consider bylaw, subject to labor counsel's review
- n) Remove, but consider bylaw
- o) Modify but keep in charter
- p) Remove, consider bylaw
- q) Keep in charter
- r) Keep in charter

Mr. Talerman said Subsection 2 is appropriate for charter inclusion.

The Board expressed concerns on whether or not the sections "Selectmen Composition" and "Other Elected Officers" should be listed as separate articles on the warrant. Mr. Talerman recommended submitting it all as one special act, and noted that whatever is finally passed at Town Meeting is what the legislature will consider. The article can be amended on the town meeting floor.

The Board discussed Section II-8, renaming the Finance Committee. Sel. Schultze recommended removing this section since there is still no consensus on what the name should be.

Sel. Jurmain recommended opening the warrant on Monday to make any changes to the various articles and finalize the warrant. A discussion ensued. Pete Berube, Fin Com Chair, asked the Board to provide a recommendation prior to the Fin Com meeting this evening even though the warrant has not been finalized. Mr. Guzinski said he would send an email regarding the Board's suggestions from today's discussion to the Fin Com today. The Board agreed that the warrant will be voted on and finalized at the meeting on Tuesday, October 12.

The Board discussed the sewer bylaw article noting the language has not been finalized. The Board decided to discuss the proposed article in detail at their next meeting even though the article will likely be pulled from the warrant and moved to the next town meeting in the spring. Sel. Schulze mentioned a possible sewer moratorium. Sel. Jurmain urged the Board to push to make sure a sewer bylaw is ready for the spring if it is indeed removed from the fall warrant, stating that this cannot wait any longer.

The Board asked for a representative from the Board of Health and their an engineer consultant to attend the Board's meeting on October 12<sup>th</sup> to discuss the proposed stormwater article.

Mr. Guzinski quickly read through the draft warrant and briefly reviewed each article. He asked the Board to contact him via email or phone with any specific questions after the meeting.

**Sel. Underhill made a motion to adjourn at 12:00 pm, seconded by Sel. Schultze.**

**Sel. Jurmain polled the Board and the motion passed unanimously.**